

REMARKS

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Telephone Interviews with the Examiner on December 19 and 21, 2005.

Claims 1-42 remain in the application. Claims 1, 15, 29, 34 and 35 have been amended for clarity, not for any reason related to patentability and not in response to any rejection in view of prior art. Support for the amendments is found in the specification on page 10, line 28 – page 11, line 3, and the claims as originally filed, such as claims 34 and 35. No new subject matter has been added.

Substance of Interview

During the Telephone Interviews of December 19 and 21, 2005, Applicant agreed to amend the claims as submitted herewith for clarification.

In addition, the claims of the present invention were discussed as being distinguishable from the Ferguson reference (U.S. Patent 6,149,554). The Ferguson reference teaches a distal end of a leaf spring coupled to a cable (col. 7, lines 1-3; FIGs. 7, 8 and 10); and that the leaf spring that offers variable resistance through a range of motion, namely resistance that increases as the deflection increases (col. 7, lines 5-9). In contrast, the present invention teaches a resistance module for an exercise machine for providing a substantially constant force through a range of motion (page 2, lines 13-27; page 5, lines 5-21). The exercise module can include a cantilever spring and a rigid member movable with respect to one another along a path of travel. The rigid member can include a non-planar contact surface or a pivot link. The rigid member causes the at least one cantilever spring to deflect and produce a resistance force as the at least one cantilever spring and the at least one rigid member move with respect to one another along the path of travel. The rigid member engages a deflection end of the cantilever spring, and constrains the deflection end to a predetermined path of deflection as the at least one cantilever spring and the at least one rigid member move with respect to one another. In addition, the rigid member separates the resistance force produced by the at least one cantilever spring into 1) a first component that is substantially constant through the path of deflection, and 2) a second

component that is substantially non-constant through the path of deflection. See page 5, lines 5-21.

Independent claims 1 and 15 recite a "rigid member engaging the deflection end of the cantilever spring, and constraining the deflection end to a predetermined path of deflection."

Independent claim 29 recites "at least one cantilever spring ... engagable with the at least one rigid member ... the cantilever spring providing a substantially constant compressive resistance force." Independent claim 34 recites "separating the resistance force produced by the at least one cantilever spring into i) a first component that is substantially constant through the path of deflection, and ii) a second component that is substantially non-constant through the path of deflection." Therefore, the Ferguson reference fails to disclose the all the elements of the claims, and even teaches away from the present invention.

CONCLUSION

Applicant respectfully submits that pending claims 1-42 are in condition for allowance. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Garron M. Hobson at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 21st day of December, 2005.

Respectfully submitted,



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